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SEP 28 2006

REMARKS

IN THE REMARKS

Consideration of the present amendment in light of the attached Remarks, and the Declaration by the present Inventor presented herewith, is requested.

D. Eggins.

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REMARKS

Claims 12 through 22 are present in the case, the former 11 claims being cancelled.

In the Drawings, the water fixture 12 is clearly labeled, the water discharge aperture is now labeled 13, its frontal area is now labeled 15, the pool wall aperture is now labeled 17, and the electrical access conduit 34 is more clearly identified. The spare turns of power cord 30 are also indicated. The transformer/rectifier 38 is now shown in perspective, for clarification purposes.

It is respectfully submitted that the externally threaded pipe portion and the associated locking nut 52 are unmistakable to one skilled in the art.

The language of the Specification and claims has been extensively revised for purposes of consistency and comprehension. No new subject matter has been added.

The subject lighting system utilizes a light fitting that forms an integral part of, but is located externally of a circulation system water fitting, thereby maintaining the water fitting independent from the light fitting. As a consequence, the operation, adjustment, servicing and maintenance of both the light fitting and the water fitting are independent of each other.

In the case of both Vajda et al (US 5,207,499) and Ruthenberg (US 6,184,628), these references both show integral light and circulation fittings, wherein the light fitting is positioned interiorly of the circulation fitting, such that the return circulation flow of water envelopes and flows around the light fitting.

As brought out in the previously presented Declaration by the present Inventor, maintenance, servicing and adjustment of either the light or the water circulation portion of these prior systems unavoidably impinges upon the operation and functions of the other portion of the system.

The externally off-set, side-by-side arrangement of the present water fitting/light fitting arrangement permits of a range of relative positioning of the light fitting about the water fitting,

by rotational repositioning of the light fitting about the polar axis of the water fitting, whereas the coaxial light/water discharge arrangements of Vajda et al and Ruthenberg appear to be incapable of any such effective variation.

The housing of the subject light fitting "sits" beside the water fitting, and backs onto the imperforate surface of the pool wall, thus standing out from that surface, such that it is highly desirable to make the housing as streamlined and slender as possible, so as to minimize its protrusion from the pool wall. To that end, a planar array of LED lights is provided to enable the provision of a slender (i.e. shallow) housing.

It is noteworthy that neither the lamp of Vajda et al nor the LED's of Ruthenberg meet this requirement; both of these prior art lamps have great axial length, within extended housings, making them entirely unsuited for adaptation in accord with the present invention.

Claim 12 now recites, in part, a flanged water fitting for sealing attachment to a pool wall, in encompassing relation with the pool wall aperture, with a water connection portion of the water fitting extending through the wall aperture, and a light fitting attached to the outer edge of the flanged water fitting in externally extending off-set cantilevered relation, for location of the light fitting, in use, on an imperforate portion of the (pool) enclosure wall.

Claim 1 now clearly distinguishes over Vajda et al and Ruthenberg.

Claim 13, which depends from Claim 12, recites a substantially planar array of light emitting diodes, which, combined with claim 12, clearly distinguishes over Ruthenberg.

Claim 14 recites the electrical access conduit, a construction absent from both Vajda et al and Ruthenberg.

Claim 15 recites the shallow depth of the light fitting, while omitting the contentious diameter to depth ratio relationship, to which the Examiner objected.

Claim 16 recites the use of coloured LED's, which is novel combination in the claimed environment.

Claim 17 recites the novel aspect of the combined access conduit and the power cord connecting the diode array to an external power source.

Claim 18 defines the power source as being low voltage.

Claim 19 sets forth the subject pool lighting system in combination with an above-ground pool, and includes the limitations that the flanged water fitting is secured in sealed encompassing relation with the pool wall aperture, that the light fitting is connected in adjoined, externally off-set attached relation to the flange of the water fitting; the light fitting containing electric lamp means, with power cord means connecting the lamp means with an external power source through the water connection portion of the water fitting. There is no showing of such structure in the cited references.

Claims 20, 21 and 22 recite the characteristics of the subject light array, in combination with the limitations of claim 19, which distinguish over the arrangements of Vajda et al and Ruthenberg.

Consideration of the claims with a view to their allowance is requested.

Respectfully submitted,


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